

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____	X	
INDIANA LABORERS PENSION FUND,	:	
Individually and on Behalf of All Others	:	
Similarly Situated,	:	Civil Action No. 1:08 CV 05994 (SAS)
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
FIMALAC, S.A., FITCH GROUP, INC.,	:	
FITCH RATINGS, LTD., MARC LADREIT	:	
DE LACHARRIÈRE, STEPHEN W. JOYNT	:	
and JOHN SCHIAVETTA,	:	
	:	
Defendants.	:	
_____	X	

NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41 (a)(1)(i)

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), plaintiff Indiana Laborers Pension Fund, through its attorneys, hereby gives notice that the above-captioned action is voluntarily dismissed, with prejudice to refile by plaintiff or its counsel against defendants. Plaintiff and defendants will bear their own costs and attorneys' fees. Each party also agrees to waive any potential claims against all other parties or their counsel for malicious prosecution, abuse of process, violation of Federal Rule of Civil Procedure 11, or any other claim (including unknown claims), arising out of or in any way related to, or in connection with the institution, prosecution, assertion or resolution of this action.

DATED: October 3, 2008

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SAMUEL H. RUDMAN
DAVID A. ROSENFELD
MARIO ALBA JR.

s/ David A. Rosenfeld

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Lead Counsel for Plaintiff

CERTIFICATE OF SERVICE

I, David A. Rosenfeld, hereby certify that on October 3, 2008, I caused a true and correct copy of the attached:

Notice of Voluntary Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(i)
to be served: (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to all additional counsel on the attached service list.

s/ David A. Rosenfeld
David A. Rosenfeld

FIMALAC

Service List - 8/28/2008 (08-0136)

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